

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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North Carillon Beach Condominium Assoc., Inc.,

Plaintiff,

Adv. Proc. No. 16-1259 (SCC)

-against-

Z Capital Partners, LLC, et al.,

Defendants.

-----X

**ORDER TO SHOW CAUSE FIXING A DATE AND TIME FOR A HEARING TO  
CONSIDER DISMISSAL OF THE ADVERSARY PROCEEDING  
FOR LACK OF PROSECUTION**

The above-captioned adversary proceeding, No. 16-1259 (the “Adversary Proceeding”), remains pending and has not been prosecuted for nearly five years; therefore, it appearing that good and sufficient cause exists for the entry of this Order, it is hereby

**ORDERED** that North Carillon Beach Condominium Association, Inc. (the “Plaintiff”) show cause at a telephonic hearing to be held before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, on the 14th day of April, 2022 at 11:30 a.m. (the “Hearing”), why the Court should not enter an Order dismissing the Adversary Proceeding for lack of prosecution pursuant to Fed. R. Civ. P. 41(b), made applicable to this proceeding by Fed. R. Bankr. P. 7041. The Hearing will be a telephonic hearing conducted via Court Solutions LLC, and participants may register to appear at the Hearing at [www.court-solutions.com](http://www.court-solutions.com).

Should the Plaintiff fail to appear at the Hearing or otherwise oppose the dismissal of the Adversary Proceeding, the Adversary Proceeding shall be dismissed for lack of prosecution seven days following the date of the Hearing without further order of the Court.

Dated: March 21, 2022  
New York, New York

/S/ Shelley C. Chapman  
Honorable Shelley C. Chapman  
United States Bankruptcy Judge

United States Bankruptcy Court  
Southern District of New York

North Carillon Beach Condominium Associa,  
Plaintiff  
Z Capital Partners, LLC,  
Defendant

Adv. Proc. No. 16-01259-scc

## CERTIFICATE OF NOTICE

District/off: 0208-1

User: admin

Page 1 of 2

Date Rcvd: Mar 21, 2022

Form ID: pdf001

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 23, 2022:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustpreion02.br.ecf@usdoj.gov	Mar 21 2022 18:57:00	United States Trustee, Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, NY 10014-7016

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
dft		Carillon Hotel and Spa Master Association Inc.
dft		Central Carillon Beach Condominium Association, In
unk		Clerks Office of the U.S. Bankruptcy Court
dft		North Beach Development, LLC
pla		North Carillon Beach Condominium Association, Inc.
dft		South Carillon Beach Condominium Association, Inc.
dft		Z Capital Florida Resort, LLC
dft		Z Capital Partners, LLC

TOTAL: 8 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 23, 2022

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 21, 2022 at the address(es) listed below:

District/off: 0208-1  
Date Rcvd: Mar 21, 2022

User: admin  
Form ID: pdf001

Page 2 of 2  
Total Noticed: 1

Name	Email Address
Erin M. Culbertson	on behalf of Defendant Z Capital Partners LLC eculbertson@milbank.com, AutoDocketECF@milbank.com
Erin M. Culbertson	on behalf of Defendant Z Capital Florida Resort LLC eculbertson@milbank.com, AutoDocketECF@milbank.com
Geoffrey S. Aaronson	on behalf of Defendant Central Carillon Beach Condominium Association Inc., gaaronson@aspalaw.com, 5408891420@filings.docketbird.com
Lewis W. Siegel	on behalf of Defendant North Beach Development LLC lws@lwsesq.com
Tamara D. McKeown	on behalf of Defendant Central Carillon Beach Condominium Association Inc., tmckeown@aspalaw.com, tdmckeown@mckeownpa.com

TOTAL: 5